



Docket No.: 1761.1022D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kanji NAKAMURA et al.

Serial No. 10/802,736

Group Art Unit: 3725

Confirmation No. 5049

Filed: March 18, 2004

Examiner: SELF, Shelly M.

For: GRIDING SLUDGE COMPACTING MACHINE

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was forwarded in the Notice of Allowability mailed October 24, 2005.

As specified in MPEP §1302.14, "care must be taken to ensure that such reasons are accurate, precise, and do not place unwarranted interpretations, whether broad or narrow, upon the claims." It is submitted that the Examiner's Statement does not meet these standards and, instead, raises "possible misinterpretations" (MPEP §1302.14) and, accordingly, should be disregarded.

For example, the reasons for allowance set forth on pages 2-4 of the Notice of Allowability include descriptions and characterizations of selected items of prior art. It is submitted that such characterizations are not proper "reasons for allowance" as directed by 37 C.F.R. §1.104 and as explained in MPEP §1302.14. In particular, a discussion of the prior art is specifically identified in Example (F) of MPEP §1302.14 as a statement that is not a suitable reason for allowance.

It further is submitted that the claims speak for themselves as to what features are included therein and are their own best evidence as to the reasons for allowance of same.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 23 Jan 2006

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